

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:

23ANDME HOLDING CO., *et al.*¹

Debtors.

Case No. 25-40976-357
Chapter 11

(Jointly Administered)

Hearing Date: March 26, 2025
Hearing Time: 12:00 p.m.

Related Doc. 35

**INTERIM ORDER AUTHORIZING THE
EMPLOYMENT AND RETENTION OF CARMODY MACDONALD P.C. AS
BANKRUPTCY CO-COUNSEL FOR THE DEBTORS AND
DEBTORS IN POSSESSION EFFECTIVE AS OF THE PETITION DATE**

Upon the Application² for Authority to Employ Carmody MacDonald P.C. (“Carmody MacDonald”) as Bankruptcy Co-Counsel Counsel for the Debtor 23andMe Holding Co. and its debtor affiliates (the “Debtors”) (the “Application”) filed by the Debtors on March 24, 2025, pursuant to section 327(a) of the Bankruptcy Code, seeking authority to employ Carmody MacDonald as their local restructuring counsel; and upon the Declaration of Thomas H. Riske in Support of the Application (the “Riske Declaration”), attached to the Application as Exhibit A; and the Court being satisfied that based upon the representations made in the Application and the Riske Declaration that Carmody MacDonald is “disinterested” as such term is defined in section 101(14) of the Bankruptcy Code, as modified by section 1107 of the Bankruptcy Code, and as required under section 327(a) of the Bankruptcy Code, and that Carmody MacDonald neither holds nor represents any interest adverse

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/23andMe>. The Debtors’ service address for purposes of these chapter 11 cases is: 870 Market Street, Room 415, San Francisco, CA 94102.

² Capitalized terms used but not defined herein have the meanings ascribed to them in the Motion

to the Debtors or their estates; and this Court having jurisdiction to consider the matters raised in the Application and the relief requested therein pursuant to 28 U.S.C. § 1334; and this Court having authority to consider the matters raised in the Application and the relief requested therein pursuant to 28 U.S.C. § 157; and this Court having venue pursuant to 28 U.S.C. §§ 1408 and 1409; and the Debtors having represented that they gave proper and sufficient notice of the Application; and this Court having reviewed the Application; and this Court having found and determined that the relief sought in the Application is in the best interests of the Debtors, their creditors and their estates; and this Court having determined that the legal and factual bases set forth in the Application establish just cause basis for the relief granted herein; and upon all of the proceedings had before this Court and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Application is granted on an interim basis to the extent set forth herein.
2. The Debtors are authorized to employ Carmody MacDonald as their co-restructuring counsel, and to employ Carmody MacDonald to provide the other services described in the Application, pursuant to Section 327(a) of the Bankruptcy Code, effective as of the Petition Date, on the terms set forth in the Application and Riske Declaration.
3. Payment of Carmody MacDonald's fees and expenses shall be made pursuant to the term described in the Application, in accordance with the applicable provisions of the Bankruptcy Code (including Bankruptcy Code §§ 330 and 331), the Federal Rules of Bankruptcy Procedure, and the Local Rules of Bankruptcy Procedure and any other applicable procedures or Orders entered in these Chapter 11 cases.
4. Carmody MacDonald shall use its best efforts to avoid inappropriate duplication of services provided by any of the Debtors' other retained professionals in these Chapter 11 Cases.

5. To the extent that there may be any inconsistency between the terms of the Application or the Riske Declaration, and this Interim Order, the terms of this Interim Order shall govern.

6. Carmody MacDonald shall apply all pre-petition retainers, advance payments and expense advances for payment of fees and costs authorized by this Court to be paid before seeking compensation from the Debtors.

7. Nothing herein shall be construed to permit Carmody MacDonald to be allowed reimbursement or compensation for fees or expenses Carmody MacDonald incurs in defense of the Carmody MacDonald's fees from legal challenge.

8. The terms and conditions of this Interim Order shall be immediately effective and enforceable upon its entry.

9. The Debtors are authorized and empowered to take all actions necessary to implement the relief granted in this Interim Order.

10. No later than two business days after the date of this Interim Order, the Debtors shall serve on the Notice Parties (a) a copy of the Interim Order and (b) a notice scheduling a final hearing on the Motion, on April 22, 2025, at 1:30 p.m. (prevailing Central Time), and shall file a certificate of service no later than 24 hours after service. If no objections to entry of a final order on the Motion are timely received, the Court may enter such final order without need for the final hearing.

Dated: March 28, 2025
St. Louis, Missouri
cjs



Brian C. Walsh
United States Bankruptcy Judge

Order Prepared By:

Carmody MacDonald P.C.

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